

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

9:00 AM

6:14-18824 Maria Elena Rodriguez

Chapter 7

Adv#: 6:19-01047 Ford Walker Haggerty & Behar, LLP et al v. Simons

#1.00

CONT. Hrg. on Plaintiffs' Motion For Summary Judgment, or, in the Alternative, Summary Adjudication of Issues against Defendant Larry S. Simons, chapter 7 trustee

From: 6/8/21, 9/7/21

Docket 102

***** VACATED *** REASON: CONTINUED TO 1/11/22 BY ORDER
ENTERED 11/3/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Elena Rodriguez

Represented By
Michael H Colmenares
John P Kreis

Defendant(s):

Larry D Simons

Represented By
Daniel A Lev

Movant(s):

Ford Walker Haggerty & Behar, LLP

Represented By
Howard Steinberg

Timothy McDonald

Represented By
Howard Steinberg

Plaintiff(s):

Ford Walker Haggerty & Behar, LLP

Represented By
Howard Steinberg

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

9:00 AM

CONT... **Maria Elena Rodriguez**
Timothy McDonald

Represented By
Howard Steinberg

Chapter 7

Trustee(s):

Larry D Simons (TR)

Represented By
C John M Melissinos

Daniel A Lev

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

9:00 AM

6:14-18824 Maria Elena Rodriguez

Chapter 7

Adv#: 6:19-01047 Ford Walker Haggerty & Behar, LLP et al v. Simons

#2.00

CONT. Hrg. on Defendant's Motion filed 4/27/27 For Summary Judgment, or in the Alternative, Partial Summary Adjudication

From: 6/8/21, 9/7/21

Docket 96

***** VACATED *** REASON: CONTINUED TO 1/11/22 BY ORDER
ENTERED 11/3/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Elena Rodriguez

Represented By
Michael H Colmenares
John P Kreis

Defendant(s):

Larry D Simons

Represented By
Daniel A Lev

Movant(s):

Larry D Simons

Represented By
Daniel A Lev

Plaintiff(s):

Ford Walker Haggerty & Behar, LLP

Represented By
Howard Steinberg

Timothy McDonald

Represented By
Howard Steinberg

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

9:00 AM

CONT... Maria Elena Rodriguez

Chapter 7

Trustee(s):

Larry D Simons (TR)

Represented By
C John M Melissinos

Daniel A Lev

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

9:00 AM

6:20-12017 Jorge Antonio Zendejas

Chapter 7

Adv#: 6:21-01007 Simons (TR) v. Zendejas et al

#3.00

CONT. STATUS CONFERENCE RE: [1] Adversary case 6:21-ap-01007.
Complaint by Larry D Simons (TR) against Jorge Antonio Zendejas, Rosa Isela Zendejas. (\$350.00 Fee Charge To Estate). with adversary proceeding cover sheet Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e)

From: 4/13/21, 8/31/21

[Tele. appr. Larry D. Simons, rep. trustee]

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of the dismissal documentation.

Party Information

Debtor(s):

Jorge Antonio Zendejas

Represented By
Daniel King

Defendant(s):

Jorge Antonio Zendejas

Pro Se

Rosa Isela Zendejas

Pro Se

Joint Debtor(s):

Rosa Isela Zendejas

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

9:00 AM

CONT... Jorge Antonio Zendejas

Chapter 7

Plaintiff(s):

Larry D Simons (TR)

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

9:00 AM

6:20-14155 Power Bail Bonds, Inc.

Chapter 11

#4.00

Law Offices of Vincent V. Frounjian, Esq. - movant attorney

Motion for Relief from Stay

Honda Lease Trust vs. DEBTOR
(Motion filed 10/18/21)

Re: 2018 Honda Accord, VIN: 1HGC V1F1 0JA2 33412

[Tele. appr. Caroline Djang, rep. trustee]

[Tele. appr. Vincent Frounjian, rep. Honda Lease Trust]

Docket 354

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

Annulment is granted.

The motion is not completely moot because of the annulment request.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

9:00 AM

CONT... Power Bail Bonds, Inc.

Chapter 11

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Power Bail Bonds, Inc.

Represented By
Douglas A Plazak
Reid & Hellyer A Pro
Corrie Klekowski

Trustee(s):

Caroline Renee Djang (TR)

Represented By
Caroline Djang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 9, 2021

Hearing Room 225

2:00 PM

6:19-16352 Silver Lakes Resort Lodge Interval Owners Associat

Chapter 11

#1.00

Trustee's Motion to Dismiss, Convert, or appoint chapter 11 trustee pursuant to 11 U.S.C. §1112(b) & judgment for quarterly fees pursuant to 28 U.S.C. §1930 (Motion filed 10/12/21)

Docket 105

***** VACATED *** REASON: WITHDRAWAL OF MOTION FILED
11/1/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Silver Lakes Resort Lodge Interval

Represented By
Teresa A. Blasberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, November 9, 2021

Hearing Room

6C

2:00 PM

8:18-13311 Ruby's Diner, Inc., a California corporation

Chapter 7

Adv#: 8:21-01014 Marshack v. Cavanaugh et al

#2.00

CONT'D Hearing RE: Emergency Motion for Order Determining Satisfaction and Release of Attachment Lien as to Real Property
(Motion filed 11-2-21)
(Set per OST on 11-2-21)

FR: 11-9-21

[Tele. appr., D. Edward Hays, repr., Trustee]

[Tele. appr., Richard A. Marshack, repr., Trustee]

Docket 302

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Ruby's Diner, Inc., a California

Represented By
William N Lobel
Jeffrey P Nolan

Defendant(s):

Douglas Cavanaugh

Represented By
Leo A Bautista
Aviram Edward Muhtar
Maria L Garcia

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, November 9, 2021

Hearing Room

6C

2:00 PM

CONT... Ruby's Diner, Inc., a California corporation

Chapter 7

Lawrence Treglia Jr

Ralph Kosmides

Represented By
Leo A Bautista
Aviram Edward Muhtar
Maria L Garcia
Lawrence Treglia Jr

Beachcomber Management Crystal

Represented By
Leo A Bautista
Maria L Garcia
Aviram Edward Muhtar

Lighthouse Cafe, LLC

Represented By
Steven C Smith
Stephen C Biggs
John S Clifford

Beachcomber at Crystal Cove, LLC

Represented By
Steven C Smith
Stephen C Biggs
John S Clifford

Shake Shack Crystal Cove, LLC

Represented By
Steven C Smith
Stephen C Biggs
John S Clifford

Plaintiff(s):

Richard A. Marshack

Represented By
Christopher Dale Beatty

Trustee(s):

Richard A Marshack (TR)

Represented By
Laila Masud
D Edward Hays
Tinho Mang
Christopher Dale Beatty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, November 9, 2021

Hearing Room

6C

2:00 PM

8:18-13311 Ruby's Diner, Inc., a California corporation

Chapter 7

Adv#: 8:21-01014 Marshack v. Cavanaugh et al

#3.00

CONT'D Hearing RE: Order to Show Cause Why the Court should not Dismiss with Prejudice the Adversary Proceeding Marshack v. Cavanaugh Et Al., Adv. No: 8:21-ap-01014-MW, on the Ground of Unclean Hands for Plaintiff's Alleged Wrongful Interference with Defendant Kosmides Effort to Sell Real Property Located at 30141 Hillside Terrace, San Juan Capistrano, CA 92675 (Set per OSC entered 11-2-21)

FR: 11-8-21

Docket 306

Tentative Ruling:

**IN PERSON APPEARANCES REQUIRED FOR ANY TESTIFYING
WITNESS AND ANY ATTORNEY EXAMINING OR CROSS-EXAMINING
ANY WITNESS.**

Defendant Kosmides alleges that Plaintiff attempted to scuttle Kosmides' planned sale of 30141 Hillside Terrace, San Juan Capistrano, CA 92675 (the "Subject Property") by asserting that unless Plaintiff is paid \$661,483.91, the attachment lien will remain on the Subject Property following the sale of the Subject Property to the person buying the Subject Property from Kosmides. Kosmides also alleges that he is willing to pay the full amount of the attachment lien out of the proceeds of sale (such amount is alleged to be \$68,717.12), but Plaintiff and/or his attorneys or other agents stated that the scuttling of the sale for the purpose of causing pain to Kosmides was "worth more to the Plaintiff than the surplus sales proceeds which would be attached."

The Court will first hear the oral argument of the parties with respect to (1) the true and correct amount of the attachment lien on the Subject Property, and (2) whether the foregoing allegations are true.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, November 9, 2021

Hearing Room

6C

2:00 PM

CONT... Ruby's Diner, Inc., a California corporation

Chapter 7

Next, the Court expects to hear live testimony of witnesses relating to what actually happened with respect to the attempted sale of the Subject Property and whether the allegations stated above are true.

Finally, after oral testimony and cross examination has concluded, the Court will hear the closing argument of the parties as to whether the equity doctrine of unclean hands applies and requires the dismissal of this adversary proceeding with prejudice or whether some lesser sanction should be imposed or whether no sanction should be imposed.

Party Information

Debtor(s):

Ruby's Diner, Inc., a California

Represented By
William N Lobel
Jeffrey P Nolan

Defendant(s):

Douglas Cavanaugh

Represented By
Leo A Bautista
Aviram Edward Muhtar
Maria L Garcia
Lawrence Treglia Jr

Ralph Kosmides

Represented By
Leo A Bautista
Aviram Edward Muhtar
Maria L Garcia
Lawrence Treglia Jr

Beachcomber Management Crystal

Represented By
Leo A Bautista
Maria L Garcia
Aviram Edward Muhtar

Lighthouse Cafe, LLC

Represented By
Steven C Smith

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, November 9, 2021

Hearing Room

6C

2:00 PM

CONT...

Ruby's Diner, Inc., a California corporation

Chapter 7

Stephen C Biggs
John S Clifford

Beachcomber at Crystal Cove, LLC

Represented By
Steven C Smith
Stephen C Biggs
John S Clifford

Shake Shack Crystal Cove, LLC

Represented By
Steven C Smith
Stephen C Biggs
John S Clifford

Plaintiff(s):

Richard A. Marshack

Represented By
Christopher Dale Beatty

Trustee(s):

Richard A Marshack (TR)

Represented By
Laila Masud
D Edward Hays
Tinho Mang
Christopher Dale Beatty